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| 09/835,040      | 04/13/2001  | Jerry B. Roberts     | M0000-1001          | 5093             |

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EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT PAPER NUMBER

2629

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Please find below and/or attached an Office communication concerning this application or proceeding.



### DETAILED ACTION

This Application has been examined. The claims 111-164 are pending. Claims 1-110 are canceled. The examination results are as following.

#### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 111-164 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frisch et al. (US 5,854,625) in view of Jaeger (US 6,275,217).

Regarding claims 111,140, Frisch et al. discloses in figure 2A-3B, a force sensor for sensing a touch force applied to touch surface (18), the force sensor comprising: a first element (see spring 20) including an elastic element (because the spring 20 could be elastic member) and a first capacitor plate (see touch surface 18 comprising a first capacitor 24a) having first capacitive surface; and second element (see spring 20 including a second capacitor plate (24b) opposed to the first capacitor plate; wherein transmission of at least part of the touch force through the elastic element contributes to a change capacitance between the first capacitor plate and the second capacitor plate (see column 5, lines 62-67).

However, Frisch et al. does not disclose the elastic element including at least part of the first capacitor plate.

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Jaeger discloses in figs. 4, 6, an operator interaction system comprising an elastic element including at least part of the first capacitor plate (see plate 48 or 49 formed of transparent plastic, see col. 8, lines 22-24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of an elastic element including at least part of the capacitor as taught by Jaeger into the system of Frisch et al. for producing the claimed invention because this would provide the band of epoxy plastic or the like that extends around the perimeter of the screen between the edge of the plate (see col. 8, lines 31-33).

Regarding claims 112, 141, Frisch et al. discloses further the first element (2) is substantially planar (see figure 2A).

Regarding claim 113, Frisch et al. does not disclose the first capacitor plate and the elastic element are integral. Jaeger discloses in figs. 4,6, the first capacitor plate (plate 48) and the elastic element are integral (because Jaeger discloses the plate 48 and 49 formed of transparent plastic, see col. 8, lines 22-24, as discussed above).

Regarding claims 114-119, 142, Frisch et al. discloses the first capacitor plate and the elastic element are composed have the same substrate (see figure 2A), and the force sensor, further comprising force-receiving means (regions 32) for receiving at least part of the touch force into the first element (see column 6, lines 65-67). However, Frisch et al. does not disclose the elastic element comprises an elevated feature of the first capacitor plate, and located at the elastic center of the first element. Jaeger discloses the elastic element comprises an elevated feature of the first capacitor plate, and located at the elastic center of the first element (figures 4,6 as discussed).

Regarding claims 120-121, 145-146, Frisch et al. discloses the force sensor further, the touch surface (18) is in communication with a region surface of the force-receiving means (32), and wherein the touch surface tends to remain in contact with the region the surface of the force-receiving means when the position of the touch surface changes with respect the force-receiving means (see col.6, lines 65-67), further comprising force transmission means (32) for transmitting at least part of the touch force to at least one structure other than the first element.

Regarding claims 122-125, 158, Frisch et al. discloses further the force sensor, wherein the second element (14) comprises planar support surface that includes a plurality electrically conductive mechanical bearing contacts (see col. 5, lines 62-64); and wherein at least portions of the first capacitor plate are in contact with the plurality of mechanical bearing contacts to transmit force thereto (see col. 5, lines 62-67), wherein the second capacitor plate (24b) includes a second capacitive surface that is coplanar with the plurality of mechanical bearing contacts and are composed of the same substrate (see col.6, lines 36-38). The force sensor of claim wherein the planar support surface is part of an interconnect system to transmit a signal developed response to the change capacitance between the first capacitor plate and the second capacitor plate (see col. 5, lines 39-46), and wherein the second capacitive surface and the at least one support surface are integral (see figure 2A).

Regarding claims 127-129, 152-154, Frisch et al. discloses that the force sensor, further comprising force signal development means for developing a signal in response to the change in capacitance between the first capacitor plate and the second capacitor plate, and wherein the force sensor includes an inherent axis of sensitivity that passes through the elastic, and wherein the touch surface is a touch surface of a handheld device (see column 3, lines 33-37).

Regarding claims 126, 130-139, 151, 155-157 and 159-164 Frisch et al. and Jaeger disclose every feature of the claimed invention as discussed above, excluding wherein the first and second capacitor plates are separated by a volume, and wherein the ratio of the height of the volume to the volume's greatest breadth is less than .05; or the length of the mechanical path defining the capacitive gap being no greater than one-fifth of the maximum distance between any two force sensors that are used in the touch location device, or wherein the first capacitive surface, the elastic element and, and the second capacitor plate has a greatest dimension that is at least five times its least dimension; or the length of the mechanical path defining the capacitive gap being no greater than four times the maximum dimension of the volume of the capacitor gap; or the unloaded state of the force sensor not more than 10 mils, or the unloaded state of the force sensor is not less than thirty times the average height of the capacitive gap in the unloaded state of the force sensor; or the wherein the force sensor has a normal stiffness not less than 0.5 pounds per mil.

It would have been obvious for Frisch et al. and Jaeger's system to have excluding wherein the first and second capacitor plates are separated by a volume, and wherein the ratio of the height of the volume to the volume's greatest breadth is less than .05; or the length of the mechanical path defining the capacitive gap being no greater than one-fifth of the maximum distance between any two force sensors that are used in the touch location device, or wherein the first capacitive surface, the elastic element and, and the second capacitor plate has a greatest dimension that is at least five times its least dimension; or the length of the mechanical path defining the capacitive gap being no greater than four times the maximum dimension of the

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volume of the capacitor gap; or the unloaded state of the force sensor not more than 10 mils, or the unloaded state of the force sensor is not less than thirty times the average height of the capacitive gap in the unloaded state of the force sensor; or the wherein the force sensor has a normal stiffness not less than 0.5 pounds per mil as claimed since such a modification would have involved a mere change in size/range of the system. A change in size/range is generally recognized as being within the level of ordinary skill in the art.

See In Rose, 105 USPQ 237 (CCPA 1995) and

See In re Reven, 156 USPQ 679 (CCPA 1968).

### ***Response To Arguments***

3. Applicant's arguments with respect to claims 111-164 filed on 11/11/05 have been considered but are moot in view of the new ground(s) of rejection.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Correspondence***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698.

The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Kimnhung Nguyen  
August 26, 2006



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